

REMARKS

This application has been carefully reviewed in light of the Office Action dated May 5, 2005. Claims 1 to 3 are in the application, of which Claim 1 is still the only independent claim. Reconsideration and further examination are respectfully requested.

Claims 1 to 4 were rejected under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2002/0178370 (Gurevich) in view of U.S. Patent 6,067,622 (Moore). These rejections are respectfully traversed, since neither of these references mentions an exchange of credit card information, much less the accompanying use of credit card information in the overall transaction for installation of software, as set forth in the rejected claims, and as detailed more fully below.

The invention concerns installation of software and involves use of credit card information of a user. A sales company is notified of credit card information of the user, and the notified credit card information of the user and a price of the software is communicated from the sales company to a credit company to request a confirmation of use of the credit card. Use of the credit card is confirmed and an account of the credit card is settled in the credit company, and a result of confirmation and a remittance for the notified price is sent to the sales company. The sales company produces a first installation key uniquely corresponding to the user on the basis of the credit card information, and issues the first installation key to the user if the user is confirmed. The user inputs the first installation key and the credit card information to an installer, and the installer produces a second installation key from the credit card information to obtain a comparison result by

comparing the first and second installation keys. The software is installed by the installer if the first installation corresponds to the second installation key.

It is therefore a feature of the invention that credit card information is exchanged from a sales company to a credit company, and that the sales company confirms use of the credit card and settles an account by the credit card so as to send a result of confirmation in a remittance for the notified price to the sales company. Thereafter, the same credit card information is used for production of first and second installation keys, the first installation key being produced by the sales company and the second installation key being produced by the installer.

The applied art is not seen to disclose or to suggest the foregoing features of the present invention, and in particular is not seen to disclose or to suggest an exchange of credit card information from a sales company to a credit company, together with accompanying transactions based on the credit card information. In this regard, and in connection with the rejection of dependent Claims 2 through 4 at pages 4 and 5 of the Office Action, the Office Action took the position that the following portions of Gurevich discuss use of credit card information by a credit company, together with accompanying transactions based on the credit card information:

“See abstract, Fig. 1, 2, 4, paragraphs 0003, 0004, 0018, 0036-0041, 0047, 0048, 0053, 0059, 0064 and 0095”.

These portions of Gurevich have been reviewed but not one of them discusses use of credit card information and its accompanying transactions. In fact, not one of these sections even uses the term “credit card”. There are a few sections of Gurevich (none of which are cited

above) that mention the term “credit card”, but all of them refer to the “credit card” as information to be protected, and not as information to be exchanged or to condition accompanying transactions on such an exchange of information.

Moore has been reviewed, but the Office Action did not cite it for any disclosure concerning the use of a credit card. In addition, Moore is not seen to use the term “credit card” such that it is impossible for Moore to provide anything of significance to the above-noted deficiencies of Gurevich.

It is therefore respectfully submitted that independent Claim 1 recites subject matter patentable over any permissible combination of Gurevich and Moore, and allowance of the claims herein is respectfully requested.

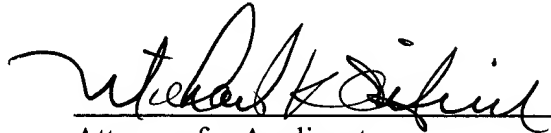
THIRD REQUEST
FOR ACKNOWLEDGMENT
OF THE CERTIFIED COPY OF
APPLICANT’S JAPANESE PRIORITY DOCUMENT

It is respectfully requested for the next Communication from the USPTO to indicate that it has received the certified copy of Applicant’s Japanese priority document, which was filed in the Patent Office on December 12, 2001. This is a third request.

CONCLUSION

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

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